

From: Clyde Stauffer
To: microsoft.atr(a)usdoj.gov
Date: 12/8/01 8:50am
Subject: Microsoft Settlement

Sirs:

I believe the proposed anti-monopoly settlement with Microsoft Corporation is inadequate on two counts:

1) It does not adequately address contracts with EOMs that restrict their rights to offer multiple operating systems on the computers they sell. This restriction, from 1992 onward, made it very difficult (actually, nearly impossible) for anyone to purchase a computer with the IBM operating system OS/2 pre-loaded. I use OS/2, but only because I am bought it independently and installed it myself. Most ordinary computer purchasers are not capable of, and do not want to, exert this degree of independence from the Microsoft monopoly.

2) It does not adequately address the competition extant from non-profit software entities such Linux and similar efforts. If these groups are not protected from the predatory efforts of Microsoft they will not be able to fully compete, a situation which would not be to the advantage of the consumer.

I respectfully submit that Microsoft should be:

- 1) Prevented from making any type of excusionary contract with OEMs; and
- 2) Forced to treat all competitors, profit and non-profit oriented alike, on the same basis.

Sincerely yours,

Clyde Stauffer